Case 08-35653-KRH Doc 11937 Filed 05/08/12 Entered 05/08/12 14:39:31 Desc Main Document Page 1 of 6

> UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

|   |                     | فاليسك |
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| F | RICHMOND DIVISION   | !      |
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| L | MAY X 8 2012        | L      |
| E |                     | E      |
| D | CLERK               | D      |
|   | US BANKRUPTCY COURT |        |

| In re:                     | CASE NO.:  | 08-35653 (KRH) |
|----------------------------|------------|----------------|
| CIRCUIT CITY STORES, INC., | Chapter 11 |                |

et al.,

Jointly Administered

Debtors.

# THE CITY OF HOMESTEAD'S RESPONSE TO DEBTORS' THIRTIETH OMNIBUS OBJECTION TO CLAIMS

Creditor, the City of Homestead, Florida, by and through undersigned counsel, files its response to the Debtors' Thirtieth Omnibus Objection to Claims (Court Paper No. 11808), and states as follows:

- 1. On December 19, 2009, the City filed a Proof of Claim setting forth an unsecured nonpriority claim in the amount of \$1,132.60. The basis for the claim is three outstanding permit fees requested by Circuit City as permit owner from the City of Homestead as follows:
  - Permit No. 08100037 \$879.00
  - Permit No. 08080050 \$194.00
  - Permit No. 08100036 \$59.00

each for the Circuit City Store located at 2595 N.E. 10<sup>th</sup> Court, Homestead, Florida 33030. A true and correct copy of the City of Homestead Building Records pertaining to and supporting these three outstanding obligations is attached as composite Exhibit "A".

2. In the Debtors' Thirtieth Omnibus Objection to Claims, Debtor disputes the basis and validity of the City's Claim in its entirety, asserting that the support provided with the claim is insufficient to determine the accuracy of the asserted liability.

Case 08-35653-KRH Doc 11937 Filed 05/08/12 Entered 05/08/12 14:39:31 Des Main Document Page 2 of 6

CASE NO.: 08-35653 (KRH)
City of Homestead's Response In
Opposition To Thirtieth Omnibus Objection
To Claims

- 3. The City has sufficiently established the existence and priority of its claim, and respectfully requests that the Trustee's Objection and Amended Objection to Claim be denied.
- 4. The City respectfully requests permission from the Court for counsel to attend any hearing on the Objection by telephone. Counsel is located in Broward County, Florida, and given the relatively small value of its claim, the expense to attend a hearing would greatly exceed the amount claimed in this matter.

WHEREFORE, the City respectfully requests entry of an order denying the Debtors' Thirtieth Omnibus Objection to the City's claim, for entry of an order allowing counsel for the City to appear at a hearing on the Debtor's objection by telephone, and for such additional relief as the Court deems appropriate.

CASE NO.: 08-35653 (KRH)
City of Homestead's Response In
Opposition To Thirtieth Omnibus Objection
To Claims

#### **CERTIFICATE OF SERVICE**

WE HEREBY CERTIFY that a true and correct copy of the foregoing notice has been furnished by electronic mail this 3 day of May, 2012 to: all parties in the Court's Mailing Matrix.

Respectfully submitted,

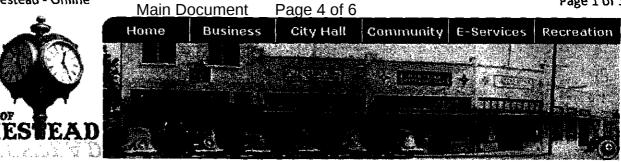
WEISS SEROTA HELFMAN PASTORIZA COLE & BONISKE, P.L. Counsel for City of Homestead 200 East Broward Boulevard, St. 1900 Fort Lauderdale, FL 33301 Telephone: (954) 763-4242

Telecopier: (954) 764-7770

Email address: dgonzales@wsh-law.com

Douglas R. Gonzales, Esq. Florida Bar No.: 849030

Case 08-35653-KRH Doc 11937 Filed 05/08/12 Entered 05/08/12 14:39:31 Desc Page 1 of 1

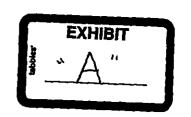


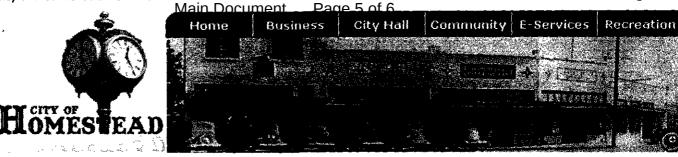
May 3, 2012 - 11:12 am

### Building Inspections

| s:<br>Date:<br>per: | Void<br>MISC  |  |   |
|---------------------|---|--|---|
| Date:               |   |  |   |
|                     | 00100027  |  |   |
| er:                 | 00100027  |  |   |
|                     | 08100037  |  |   |
| ess:                | 2595 NE 10 CT, H                                    | OMESTEAD, FL 330   | 030   |
| er:                 | CIRCUIT CITY  |  |   |
| 1                   | \$879.00  |  |   |
| ame:                | AMORE CONSTRU                                       | CTION COMPANY  |   |
| icense No.:         | 02984   |  |   |
| Inspections         |   |  |   |
| Inspection          | Sch   | eduled Date  |   |
| History             | <del> </del>  |  |   |
| Inspection          | Date  | Result   | Notes   |
|                     | lame: icense No.:  Inspections  Inspection  History | \$879.00  Jame: AMORE CONSTRUCTION  Jame: AMORE CONSTRUCTION  JAMES OF THE CONSTRUCTION  Inspection Sch  History | \$879.00 lame: AMORE CONSTRUCTION COMPANY icense No.: 02984  Inspections Inspection Scheduled Date  History |

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May 3, 2012 - 11:13 am

## Building Inspections

| Permit Deta                          | iils                   |                        |                 |             |
|--------------------------------------|------------------------|------------------------|-----------------|-------------|
| Permit Status                        |                        | Void                   |                 |             |
| Permit Type:                         |                        | ELECTRICAL             |                 |             |
| Permit Issue                         | Date:                  |                        |                 |             |
| Permit Numb                          | er:                    | 08080050               |                 |             |
| Permit Addre                         | ss:                    | 2595 NE 10 COURT, HOME | STEAD, FL 33030 |             |
| Permit Owne                          | r:                     | CIRCUITY CITY          |                 |             |
| Fee Balance:                         |                        | \$194.60               |                 |             |
|                                      |                        |                        | D -1110         |             |
| Contractor Na                        | ame:                   | ACOLITE & CLAUDE UNITE | D INC           |             |
| Contractor Na<br>Contractor Li       |                        | 00117                  | D INC           |             |
| Contractor Li                        | cense No.:             | 00117                  |                 | ·······     |
| Contractor Li                        | cense No.:             |                        |                 | <del></del> |
| Contractor Li<br>Scheduled 1<br>Code | inspections Inspection | 00117                  |                 |             |
| Contractor Li                        | inspections Inspection | 00117                  |                 |             |

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City Hall E-Services Recreation Community

May 3, 2012 - 11:11 am

#### **Building Inspections**

| Permit Stat               | tus:                                    | Expired                             |
|---------------------------|---|-------------------------------------|
| Permit Typ                | e:                                      | PAINT                               |
| Permit Issu               | ie Date:                                |                                     |
| Permit Nun                | nber:                                   | 08100036                            |
| Permit Add                | ress:                                   | 2595 NE 10 CT, HOMESTEAD, FL 33030  |
| Permit Ow                 | ner:                                    | CIRCUIT CITY                        |
| Fee Balanc                | e:                                      | \$59.00                             |
|                           |   |                                     |
| Contractor                | Name:                                   | SPECIALIZED PROPERTY SERVICES       |
|                           | Name:<br>License No.:                   | SPECIALIZED PROPERTY SERVICES 03125 |
| Contractor                | License No.:                            |                                     |
| Contractor Schedulec Code | License No.:  I Inspections  Inspection | 03125                               |
| Contractor Scheduled      | License No.:  I Inspections  Inspection | 03125                               |

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